



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

AUG 29 2017

Reply to: OCE-101

**CERTIFIED MAIL — RETURN RECEIPT REQUESTED**

CSC-Lawyers Incorporating Service Company

Registered Agent for:

Chemsico, Inc., a Division of United Industries Corporation, LLC.

221 Bolivar Street

Jefferson City, Missouri 65101

**Re: Stop Sale, Use, or Removal Order for the unregistered pesticide product "Black Flag Disposable Fly Trap"**  
**Docket No. FIFRA-10-2017-0106**

Dear Madam or Sir:

This letter provides Chemsico, Inc., a Division of United Industries Corporation ("Chemsico"), notice that the U.S. Environmental Protection Agency, Region 10 ("EPA") has issued a Stop Sale, Use, or Removal Order ("Order") prohibiting the distribution, sale, or use of the pesticide product "Black Flag Disposable Fly Trap" under Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136k(a). The enclosed Order is effective immediately upon receipt and pertains to all such products under the control, ownership, or custody of Chemsico.

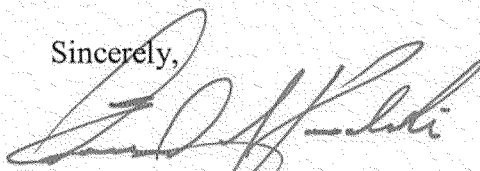
EPA issued the Order because EPA has reason to believe that the product "Black Flag Disposable Fly Trap" is in violation of FIFRA. This product is being "offered for sale" through webpages operated by Lowe's Home Centers, LLC ("Lowe's") and Lowe's stores in Washington and North Carolina.

The labels and advertisements for "Black Flag Disposable Fly Trap" bear pesticidal claims, yet this product has not been registered as a pesticide under FIFRA Section 3, 7 U.S.C. § 136a. Therefore, any distribution or sale of the unregistered pesticide "Black Flag Disposable Fly Trap" is in violation of FIFRA Section 12(a)(1)(A), 7 U.S.C. § 136j(a)(1)(A).

Pursuant to Section 13(a) of FIFRA, 7 U.S.C. § 136k(a), Chemsico may **not** sell, offer to sell, use, distribute, or remove the unregistered pesticide product "Black Flag Disposable Fly Trap." Any violation of the Order may result in the imposition of civil or criminal penalties as prescribed by Section 14 of FIFRA, 7 U.S.C. § 136l. The issuance of this Order does not constitute a waiver by the EPA of its remedies, either judicial or administrative, under FIFRA or any other federal environmental law to address this matter or any other matters of unlawful acts not specified in this Order.

In accordance with the enclosed Order, within 30 days of receipt of this letter, please provide a written response describing the steps Chemsico will take to comply with FIFRA, as well as a current inventory of the product subject to the Order, to Mr. Chad Schulze at U.S. EPA Region 10, 1200 Sixth Avenue, Suite 900 (OCE-101), Seattle, Washington 98101, or at Schulze.Chad@epa.gov. Mr. Schulze may be reached by telephone at (206) 553-0505. Questions from legal counsel should be directed to Brett Dugan, Office of Regional Counsel, at (206) 553-8562 or dugan.brett@epa.gov.

Sincerely,



Edward J. Kowalski  
Director

Enclosure

cc: Mr. Jamie Green  
EPA Region 7

Mr. Randy Lewis  
President  
Chemsico, Inc., a Division of United Industries Corporation, LLC